

United States Court of Appeals  
Fifth Circuit

**UNITED STATES COURT OF APPEALS**

**FILED**  
April 8, 2009

**FOR THE FIFTH CIRCUIT**

Charles R. Fulbruge III  
Clerk

**FILED**

U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**MAY 26 2009**

DAVID J. MURRAY, CLERK  
BY  
DEPUTY

No. 08-41082  
Summary Calendar

D.C. Docket No. 4:06-CV-69

DOROTHY N OLLIE,

Plaintiff - Appellant

versus

PLANO INDEPENDENT SCHOOL DISTRICT,

Defendant - Appellee

Appeal from the United States District Court for the Eastern District of Texas at Sherman

Before JOLLY, BENAVIDES, and HAYNES, Circuit Judges.

**JUDGMENT**

This cause was considered on the record on appeal and the briefs on file.

It is ordered and adjudged that the judgment of the District Court is affirmed in part and vacated in part, and the cause is remanded to the District Court for further proceedings in accordance with the opinion of this Court.

IT IS FURTHER ORDERED that each party to bear its own costs on appeal.

ISSUED AS MANDATE: *May 14, 2009*

A True Copy  
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit

By: *Claudia Garrison*  
Deputy *5/14/09*

New Orleans, Louisiana